

Procurement Guidance - (1/2014)

T3.7 Privacy and Freedom of Information

A Protection of Individual Privacy

1 General

2 Implementing Rules

B Clauses

C Forms

T3.7 Privacy and Freedom of Information

A Protection of Individual Privacy

1 General

- a. The Privacy Act provides safeguards for individual privacy when the FAA contracts for the design, development, or operation of a system of records on individuals on behalf of the FAA to accomplish a program function. The Act requires that the contractor follow all of the rules on privacy that apply to the FAA.
- b. An FAA employee may be criminally and/or civilly liable for violations of the Act. When the contract provides for operation of a system of records on individuals, contractors and their employees are considered employees of the FAA for purposes of the criminal penalties of the Act.
- c. The Contracting Officer shall determine whether a contract will involve the design, development or operation of a system of records as defined in the Privacy Act. If so, the Contracting Officer shall insure that the contract specifically identifies the system of records on individuals and the design, development, or operation work to be performed. The statement of work should identify the FAA rules and regulations implementing the Privacy Act.

2 Implementing Rules

The Department of Transportation's implementing rules and regulations for the Privacy Act are contained at 49 CFR Part 10.

B Clauses

[view contract clauses](#)

C Forms

[view procurement forms](#)